

THE TWENTY-SEVENTH ANNUAL FALL PROGRAM

This one day comprehensive program focuses on several estate planning, litigation and tax issues which are important to trusts and estates professionals. Noted experts will provide updates and in-depth analysis on a variety of issues such as:

- What are the recent changes in federal and state law which affect estate planning and trusts and estates litigation?
- What are the drafting issues and litigation strategies related to no contest clauses and what may be the future of no contest clauses?
- Updates on important issues in audits of estate/gift tax returns.
- What are the drafting issues to consider to avoid litigation and malpractice?
- How to identify and handle elder abuse cases?
- What are the various tax saving opportunities related to income taxation of trusts and estates?



STATE BAR EDUCATION FOUNDATION
Trusts and Estates Section
180 Howard Street
San Francisco, CA 94105

THE STATE BAR OF CALIFORNIA
Trusts and Estates Section
Presents

The Twenty-Seventh Annual Fall Program



October 24, 2003

Westin St. Francis Hotel, San Francisco

335 Powell Street

San Francisco, CA 94102

8:15 a.m. to 5:30 p.m.

8 hours MCLE Credit

The State Bar of California and the Trusts and Estates Section certify that this activity has been
approved for MCLE credit by the State Bar of California in the amount of 8 hours.

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Presented by
The Trusts and Estates Section of the State Bar of California

October 24, 2003 • San Francisco

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8:15 a.m. to 5:30 p.m. • Registration begins at 7:45 a.m.

REGISTRATION INFORMATION PROGRAM MATERIALS

DEADLINE: Your form and check, payable to The State Bar of California, or credit card information must be received by October 10, 2003. **Please register early because space is limited.**

MAIL TO: Program Registrations, The State Bar of California, 180 Howard Street, San Francisco, CA 94105. Make checks payable to The State Bar of California.

FAX TO: Program Registrations at (415) 538-2368. Credit card information is mandatory.

REGISTER ONLINE at www.ientreg.com. Registering is quick and easy. Go to www.ientreg.com and click on the program name or wait for our email invitation which will include a link to register. Last day to register online is October 20, 2003.

ON-SITE REGISTRATIONS: On-site registration is on a space available basis only.

QUESTIONS: For registration information, please call (415) 538-2206.

REFUNDS: All requests for refunds must be in writing and received by October 10, 2003.

SPECIAL ASSISTANCE: Please call (415) 538-2206 for special assistance or (415) 538-2231 TDD for speech and hearing impaired.

TAPE & MATERIALS: If you would like to order an audio cassette and program booklet, please contact Versa-Tape Company at (800) 468-2737. Cost for the tape and booklet is \$170. MCLE self study only.

PROGRAM AGENDA

8:15 am to 10:15 am Recent Developments – What T & E Lawyers Need to Know

Mary F. Gillick, Esq., Luce, Forward, Hamilton & Scripps LLP
Thomas B. Worth, Esq., Friedman McCubbin, et al.
James R. Birnberg, Esq., Loeb & Loeb LLP

The panel will discuss recent developments in California statutory and case laws and Federal tax laws that all trusts and estates attorneys need to know to provide accurate and current advice.

10:30 am to 11:30 am Fiduciary Income Tax - Taxation of Trusts and Estates
James M. Allen, Esq., Leland Parachini et al.

This intermediate/advanced course will discuss various tax savings and planning opportunities with regard to the taxation of trusts and estates, including available elections.

11:30 am to 12:55 pm Lunch Presentation - Estate/Gift Tax Audit Hot Topics
Janet Holman, Esq. Supervisor Attorney of IRS Estate & Gift Tax Group (San Francisco)

Don't miss this opportunity to learn from the IRS supervisor attorney as to important current issues related to estate/gift tax audits.

1:00 pm to 2:00 pm Elder Abuse – The Domestic Violence and Financial Embezzlement Problem of the 21st Century

Robert E. Temmerman, Jr., Esq., Temmerman & Cilley LLP
James P. Cilley, Esq., Temmerman & Cilley LLP
Cindy S. Hendrickson, Esq., District Attorney Santa Clara County

The panel will examine both the scope and magnitude of elder abuse in our communities and provide a road map for taking on the perpetrators of both physical and financial abuse of our elderly population. This program will focus on litigating elder abuse claims, and will explore both the criminal and civil aspects of elder abuse, the problems in obtaining enhanced civil remedies, and provide guidance for recovering assets misappropriated from seniors.

2:15 pm to 3:15 pm Drafting to Avoid Litigation and Malpractice

John P. Deily, Esq., Law Offices of John P. Deily
John A. Duncan, Esq., Law Offices of John A. Duncan

This program will discuss methods for avoiding litigation over estate planning documents. By avoiding litigation, estate planning attorneys will reduce the risk of malpractice claims related to the documents they draft. Topics will include how to handle the initial consultation; drafting the engagement letter; techniques to avoid challenges to estate planning documents on the grounds of lack of capacity, undue influence and improper execution; how to identify and handle prohibited transferees under Probate Code Section 21350; and how to close the attorney-client relationship.

3:30 pm to 5:30 pm The Dead Hand Writes - And Having Writ Moves On: Drafting and Litigating No Contest Clauses

John A. Hartog, Esq., Law Offices of John A. Hartog
Charles P. Wolff, Esq., Evans Latham & Campisi

This panel will discuss drafting issues affecting no contest clauses: when NOT to include one, as well as when inclusion is suggested. The panelists will also discuss litigation strategies as to “when an activity will be held to fall within the proscription of a particular no contest clause,” including when to utilize the remedy afforded by Probate Code section 21320. The program will then discuss potential legislative reform, as well as recent developments and potential future developments.

REGISTRATION FORM

The Twenty-Seventh Annual Fall Program

PRESENTED BY
THE TRUSTS & ESTATES SECTION OF THE STATE BAR OF CALIFORNIA

Note: Please use a separate form for each registrant

Name _____

State Bar Number _____

Firm _____

Address _____

City, State, Zip _____

Phone _____

E-mail _____

REGISTRATION FEES (Check appropriate box)

☐ \$240 Members of the State Bar of California
Trusts and Estates Section

☐ \$300 Non-Members
☐ Please credit \$60 of my non-member registration fee to
my 2003 membership dues in the Trusts and Estates Section

CREDIT CARD INFORMATION

I authorize The State Bar of California to charge my program registration to my VISA or MasterCard account. (No other credit card will be accepted.)

Account Number _____ Exp. Date _____

Card Holder's Name _____

Cardholder's Signature _____

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